

## ***REMARKS***

### ***I. Amendment to the Claims***

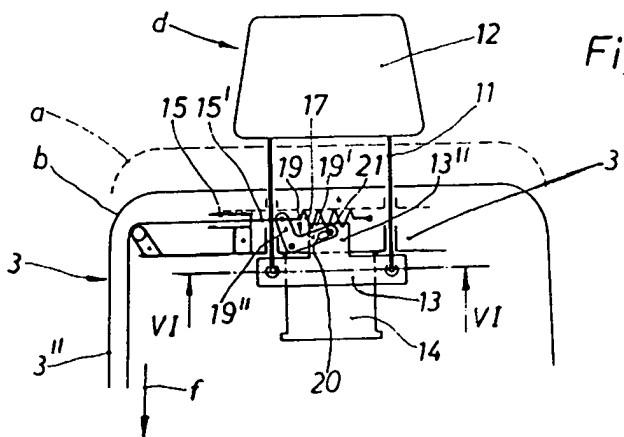
Upon entry of the foregoing amendment, twenty three (23) claims are pending in the application. Of the pending claims, one (1) claim, Claim 57, is independent. Support for the amendments is provided in the specification, page 11, line 28 through page 15, line 26, illustrating the embodiments shown in Figs. 6-8.

### ***II. Rejections under 35 U.S.C. § 102***

1. The Examiner has rejected Claims 57-59, 63-70 and 76-79 under 35 U.S.C. §102(b) as being anticipated by Beerbaum (DE 3843616 A1). It is respectfully submitted that the rejections should not be maintained against those claims as amended.

Beerbaum cannot anticipate independent Claim 57 because Beerbaum fails to disclose each and every element of Claim 57 as amended. Claim 57 recites two separate adjusting elements (the “first adjusting element” and the “second adjusting element”) for two support bars. Claim 57 also recites two separate flexible transmission means (the “first flexible transmission

means” and the “second flexible transmission means”). However, Beerbaum fails to disclose these configurations. Beerbaum only teaches to use one single bridge-like adjusting element (13) which is coupled to both support bars (11). Moreover, the single

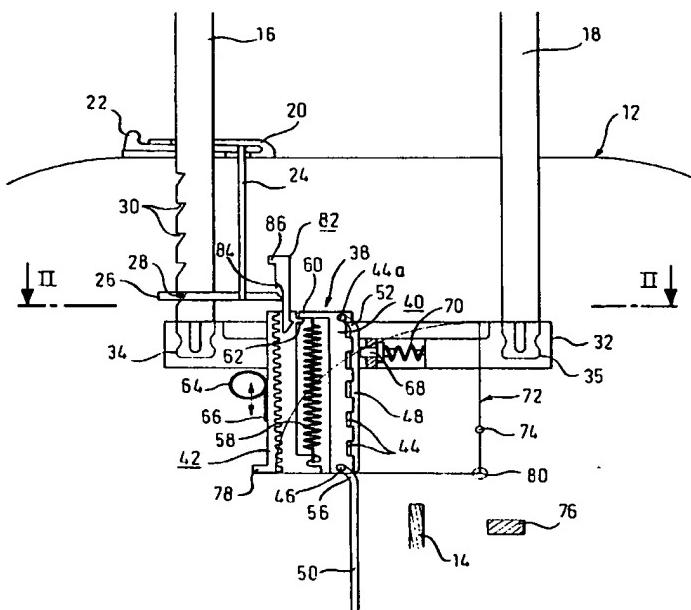


adjusting element (13) is adjusted with the aid of only one Bowden cable arrangement (15') (thus, only one flexible transmission means).

Accordingly, it is respectfully submitted that independent Claim 57 and its dependent claims should be found allowable over Beerbaum.

2. The Examiner has also rejected Claims 57-59, 63-70 and 76-79 under 35 U.S.C. §102(b) as being anticipated by Beck (US 2001/0013718). It is respectfully submitted that the rejections should also not be maintained against those claims as amended.

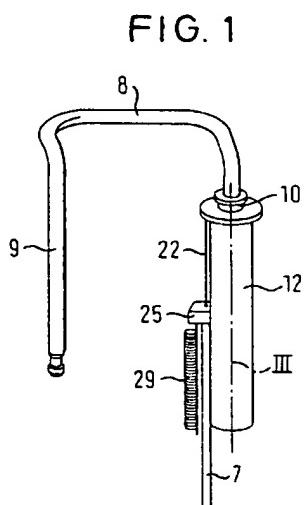
Like Beerbaum, Beck also fails to disclose each and every element of Claim 57 as amended. Specifically, Beck also fails to disclose two adjusting elements adjusted by two flexible transmission means as claimed. Beck only teaches to use one single bridge-like



adjusting element (32) which is coupled to both support bars (16, 18). Moreover, the single adjusting element (32) is adjusted with the aid of only one lever (24) (thus, only one transmission means), which is not even flexible.

3. The Examiner has also rejected Claims 57-59, 61-70 and 76-79 under 35 U.S.C. §102(b) as being anticipated by Fischer (US 6,390,558). It is respectfully submitted that the rejections should also not be maintained against those claims as amended because Fischer, like Beerbaum and Beck, also fails to disclose each and every element of Claim 57 as amended.

Specifically, Fischer also fails to disclose two adjusting elements adjusted by two flexible transmission means as claimed. Fischer only teaches to use one single sleeve-type adjusting



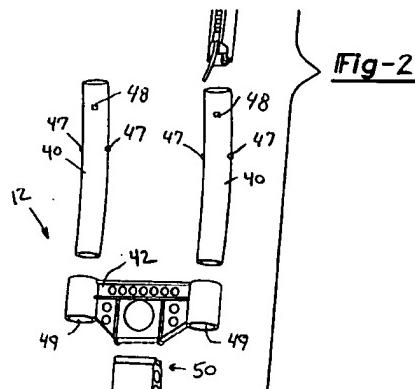
element (11: located inside of 12) for adjusting both guide bars (9, 10). The single adjusting element (11: located inside of 12) is connected only to one guide bar (10), which is fixed to the other guide bar (9) through a transverse brace (8). Moreover, the single sleeve-type adjusting element (11: located inside of 12) is adjusted with the aid of only one Bowden cable (7) (thus, only one transmission means). In the meantime, although Fischer discloses another Bowden cable (5), the Bowden cable

(5) is totally unrelated to a “vertical adjustment of head restraint” as claimed. The Bowden cable (5) has nothing to do with the vertical adjustment of headrest, but only actuates other adjustment parts (2, 3, 4), which pivots adjust backrest inclination.

4. The Examiner has also rejected Claims 57-60, 62-70 and 76-79 under 35 U.S.C. §102(e) as being anticipated by Malsch (US 7,121,625). It is respectfully submitted that the rejections should also not be maintained against those claims as amended because Malsch, like other cited references, also fails to disclose each and every element of Claim 57 as amended.

Specifically, Malsch also fails to disclose two adjusting elements adjusted by two

flexible transmission means as claimed. Malsch only teaches



to use one bridge-like adjusting element (42) for adjusting both head support bars (20: located inside of 40). The single adjusting element (11) is adjusted with the aid of only one Bowden cable arrangement (15') (thus, only one transmission means) which is not even flexible.

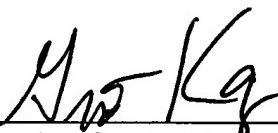
#### **V. Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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